



ΕΦΗΜΕΡΙΣ ΤΗΣ ΚΥΒΕΡΝΗΣΕΩΣ

ΤΗΣ ΕΛΛΗΝΙΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

ΤΕΥΧΟΣ ΔΕΥΤΕΡΟ

Αρ. Φύλλου 1685

12 Αυγούστου 2015

ΑΠΟΦΑΣΕΙΣ

Αριθ. 78989/ΑΤ ΕΟΧ 173

Τροποποίηση της υπουργικής απόφασης «Συγχρηματοδότηση του Κέντρου Ανανεώσιμων Πηγών και Εξοικονόμησης Ενέργειας (ΚΑΠΕ), το οποίο εποπτεύεται από το Υπουργείο Περιβάλλοντος, Ενέργειας και Κλιματικής Αλλαγής, ως Διαχειριστή (Programme Operator) του Προγράμματος με τίτλο: «Ανανεώσιμες Πηγές Ενέργειας» στο πλαίσιο της προγραμματικής ενότητας: «Ανανεώσιμες Πηγές Ενέργειας» που υλοποιείται από πόρους του Χρηματοδοτικού Μηχανισμού Ευρωπαϊκού Οικονομικού Χώρου (ΧΜ ΕΟΧ) περιόδου 2009 - 2014 και του Εθνικού Προγράμματος Δημοσίων Επενδύσεων (ΦΕΚ 948/Β'15.04.2014)».

Ο ΥΠΟΥΡΓΟΣ ΟΙΚΟΝΟΜΙΑΣ, ΥΠΟΔΟΜΩΝ, ΝΑΥΤΙΛΙΑΣ ΚΑΙ ΤΟΥΡΙΣΜΟΥ

Έχοντας υπόψη:

1. Το Π.δ. 24/ΦΕΚ Α 20/27.01.2015, «Σύσταση και μετονομασία Υπουργείων, μεταφορά της Γενικής Γραμματείας Κοινωνικών Ασφαλίσεων» και ειδικότερα το άρ. 2 αυτού.
2. Το Π.δ. 25/2015 (ΦΕΚ 21/τ.Α'/27.01.2015), «Διορισμός Αντιπροέδρου της Κυβέρνησης, Υπουργών, Αναπληρωτών Υπουργών και Υφυπουργών».
3. Το Π.δ 116/2014 (ΦΕΚ 185/Α/03-09-2014) «Οργανισμός του Υπουργείου Ανάπτυξης και Ανταγωνιστικότητας» όπως τροποποιήθηκε και ισχύει.
4. Το από 7-11-2011 Μνημόνιο Κατανοήσεως (Memorandum of Understanding) για την υλοποίηση του Χρηματοδοτικού Μηχανισμού Ευρωπαϊκού Οικονομικού Χώρου (ΕΟΧ) περιόδου 2009-2014. Μεταξύ της Δημοκρατίας της Ισλανδίας, του Πριγκιπάτου του Λιχτενστάιν, του Βασιλείου της Νορβηγίας και της Δημοκρατίας της Ελλάδας, όπως τροποποιήθηκε και ισχύει.
5. Τον από 18-01-2011 «Κανονισμό για την υλοποίηση του Χρηματοδοτικού Μηχανισμού ΕΟΧ 2009-2014» ("Regulation on the implementation of the European Economic Area (EEA) Financial Mechanism 2009-2014") όπως αυτός υιοθετήθηκε από την Επιτροπή Χρηματοδοτικού Μηχανισμού βάσει του άρθρου 8.8 του Πρωτοκόλλου 38b της Συμφωνίας ΕΟΧ, όπως τροποποιήθηκε και έκτοτε ισχύει.
6. Την με αρ. πρωτ. 16870/ΕΥΔ&ΠΛΑΠ 356 υπουργική απόφαση (ΦΕΚ. Β' 948/15.04.2014) Συγχρηματοδότηση του Κέντρου Ανανεώσιμων Πηγών και Εξοικονόμησης

Ενέργειας (ΚΑΠΕ), το οποίο εποπτεύεται από το Υπουργείο Περιβάλλοντος, Ενέργειας και Κλιματικής Αλλαγής, ως Διαχειριστή (Programme Operator) του Προγράμματος με τίτλο: «Ανανεώσιμες Πηγές Ενέργειας» στο πλαίσιο της προγραμματικής ενότητας: «Ανανεώσιμες Πηγές Ενέργειας» που υλοποιείται από πόρους του Χρηματοδοτικού Μηχανισμού Ευρωπαϊκού Οικονομικού Χώρου (ΧΜ ΕΟΧ) περιόδου 2009 - 2014 και του Εθνικού Προγράμματος Δημοσίων Επενδύσεων.

7. Την υπ' αριθμ. 12104/ΕΥΔ&ΠΛΑΠ 275/12-03-2014 κοινή απόφαση του Αναπληρωτή Υπουργού Οικονομικών και του Υπουργού Ανάπτυξης και Ανταγωνιστικότητας με θέμα: «Καθορισμός Συστήματος Διαχείρισης και Ελέγχου για την υλοποίηση του Χρηματοδοτικού Μηχανισμού (ΧΜ) του Ευρωπαϊκού Οικονομικού Χώρου (ΕΟΧ) περιόδου 2009-2014 - Κατανομή των Πόρων» (ΦΕΚ 781/Β'/28-3-2014).

8. Το από 26 Φεβρουαρίου αίτημα τροποποίησης της υπουργικής απόφασης 16870/ΕΥΔ&ΠΛΑΠ 356 και συνακόλουθα την με αρ. πρωτ. 162/9-07-2015 επιστολή του FMO του "EEA and Norway Grants", με τίτλο "Modifications to Programme Agreement Annexes".

9. Το γεγονός ότι από την απόφαση αυτή δεν προκαλείται περαιτέρω δαπάνη σε βάρος του κρατικού προϋπολογισμού από εκείνη, ύψους 11.188.235 €, που αναφέρεται στη με αρ. 12104/ΕΥΔ&ΠΛΑΠ 275/12-03-2014 Κοινή απόφαση του Αναπληρωτή Υπουργού Οικονομικών και του Υπουργού Ανάπτυξης και Ανταγωνιστικότητας με θέμα: «Καθορισμός Συστήματος Διαχείρισης και Ελέγχου για την υλοποίηση του Χρηματοδοτικού Μηχανισμού (ΧΜ) του Ευρωπαϊκού Οικονομικού Χώρου (ΕΟΧ) περιόδου 2009-2014 - Κατανομή των Πόρων» (ΦΕΚ 781/Β'/28.03.2014) και η οποία αποτελεί το 100% του συνολικού επιλέξιμου προϋπολογισμού του Προγράμματος «Ανανεώσιμες Πηγές Ενέργειας» (Renewable Energy) για τη χρονική περίοδο 2013 - 2017 και βαραίνει το Πρόγραμμα Δημοσίων Επενδύσεων του Υπουργείου Περιβάλλοντος, Ενέργειας και Κλιματικής Αλλαγής, αποφασίζει:

Την τροποποίηση της υπ' αριθ. 16870/ΕΥΔ&ΠΛΑΠ 356 (ΦΕΚ 948/Β'/15.04.2014) υπουργικής απόφασης του Υπουργού Ανάπτυξης και Ανταγωνιστικότητας για τη Συγχρηματοδότηση του Κέντρου Ανανεώσιμων Πηγών και Εξοικονόμησης Ενέργειας (ΚΑΠΕ), ως Διαχειριστή (Programme Operator) του Προγράμματος

τος με τίτλο: «Ανανεώσιμες Πηγές Ενέργειας» στο πλαίσιο της προγραμματικής ενότητας: «Ανανεώσιμες Πηγές Ενέργειας» που υλοποιείται από πόρους του Χρηματοδοτικού Μηχανισμού Ευρωπαϊκού Οικονομικού Χώρου (ΧΜ ΕΟΧ) περιόδου 2009 - 2014 και του Εθνικού Προγράμματος Δημοσίων Επενδύσεων, στα παρακάτω σημεία:

1. Στο παράρτημα II - Σχέδιο Χρηματοδοτικής Ενίσχυσης το annex I - Programme Decision οι σελίδες 14292 έως και 14299 καταργούνται και αντικαθίστανται από το συνημμένο (i) Annex I - Programme Decision.

2. Στο παράρτημα III - Κανόνες Λειτουργίας οι σελίδες 14301 έως και 14310 καταργούνται και αντικαθίστανται από το συνημμένο (ii) Operational Rules.

Annex I - Programme Decision

1. Expected Outcomes & Indicators for Outputs

Expected Outcome(s): A less carbon-dependent economy

Output

RES integrated Actions in Local Communities

Output indicator(s)	Baseline	Target	Source of Verification
Estimated renewable energy production MWh/year Renewable energy production stands for electricity production from solar energy and wind, renewable energy consumed in buildings from solar, geothermal and biomass energy, as well as renewable thermal energy produced from geothermal and biomass energy in district heating applications.	0	6813	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).
Estimated RES electricity production MWh/year RES electrical energy is produced from solar energy and wind.	0	2728	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).
Estimated RES consumption MWh/year RES consumption stands for renewable energy consumed in buildings from solar, geothermal and biomass energy.	0	1085	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).
Estimated RES heat production MWh/year RES heat production is the renewable thermal energy produced from geothermal and biomass energy in district heating applications.	0	3000	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).
Estimated CO2 emissions reduction and/or avoidance tones/year CO2 emissions reduction is estimated based on the expected RES energy production and the emissions avoidance that are substituted by RES technologies.	0	3664	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).

Output

RES integrated Actions in Island/s

Output indicator(s)	Baseline	Target	Source of Verification
Estimated renewable energy production MWh/year Renewable energy production stands for electricity production from solar energy and wind, as well as renewable energy consumed in buildings from solar, geothermal and biomass energy.	0	187	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).
Estimated RES electricity production MWh/year RES electrical energy is produced from solar energy and wind.	0	187	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).
Estimated CO2 emissions reduction and/or avoidance tones/year CO2 emissions reduction is estimated based on the expected RES energy production and the emissions avoidance that are substituted by RES technologies.	0	1236	The required calculations and measurements will be performed by a qualified Auditor (e.g. Certified Energy Auditor for buildings etc.).

2. Conditions

2.1 General

1) The National Focal Point shall ensure that any public support under this Programme complies with the procedural and substantive state aid rules applicable at the time when the public support is granted. The National Focal Point shall, by way of the programme implementation agreement, ensure that the Programme Operator maintains written records of all assessments concerning compliance with state aid rules, particularly decisions to award grants and set grant rates, and provides such records

to the FMC upon request. The approval of the Programme by the FMC does not imply a positive assessment of such compliance.

2) The National Focal Point shall ensure that Article 7.16 of the Regulation, as well as national and European Union law on public procurement are complied with at any level in the implementation of the programme and the projects. The National Focal Point shall, by way of the programme implementation agreement, ensure that the Programme Operator maintains written records of all assessments concerning the organization of procurement procedures and compliance with procurement rules, and provides such records to the FMC upon request. The approval of the Programme by the FMC does not imply a positive assessment of such compliance.

3) A methodology on the calculation of the flat rate to be applied to indirect eligible costs (overheads) in accordance with Article 7.4.1(b) of the Regulation shall be submitted to the FMO no later than two weeks prior to the deadline for providing to the FMC the text of the call for proposals, as required by Article 6.3.4 of the Regulation.

4) Bilateral, outcome and output indicators shall be reported on in the annual report.

5) The National Focal Point shall ensure that the Programme Operator ensures that Project Promoters who have, in line with this Agreement, received an exception from the general rule in Article 7.3.1(c) of the Regulation with respect to any equipment (the excepted equipment):

- Keep the excepted equipment in their ownership for a period of at least 5 years following the completion of the project and continue to use that equipment for the benefit of the overall objectives of the project for the same period; - Keep the excepted equipment properly insured against losses such as fire, theft and other normally insurable incidents both during project implementation and for at least 5 years following the completion of the project; and
- Set aside appropriate resources for the maintenance of the excepted equipment for at least 5 years following the completion of the project. The specific means for implementation of this obligation shall be specified in the project contract; provided however that the Programme Operator may release any Project Promoter from the above obligations with respect to any specifically identified excepted equipment where the Programme Operator is satisfied that, having regard to all relevant circumstances, continued use of that equipment for the overall objectives of the project would serve no useful economic purpose. The National Focal Point shall furthermore ensure that the Programme Operator keeps a list of the excepted equipment for each project.

6) The Programme Operator shall ensure that all existing conventional energy sources to be replaced by renewable energy sources are decommissioned at the date of completion of the Programme. A requirement to that effect shall be included in the text of the open calls and in the project contracts.

2.2 Pre-eligibility

Not applicable.

2.3 Pre-payment

Not applicable.

2.4 Pre-completion

Not applicable.

2.5 Post-completion

Not applicable.

2.6 Other

Not applicable.

3. Eligibility of costs

3.1 Eligibility of costs - period

Eligibility of costs (excluding prog prep costs): 05/09/2013-30/04/2017

Eligibility of programme proposal preparation costs: 08/11/2011-04/09/2013

3.2 Grant rate and co-financing

Programme estimated total cost (€)	€11,188,235
Programme estimated eligible cost (€)	€11,188,235
Programme grant rate (%)	85.0000%
Maximum amount of Programme grant (€)	€9,510,000

3.3 Maximum eligible costs (€) and Advance payment amount (€)

Budget heading	Eligible expenditure	Advance payment*
Programme management	€1,083,176	€185,547
A less carbon-dependent economy	€9,664,659	€372,551
Fund for bilateral relations	€167,824	€26,700
Complementary action	€216,635	€25,000
Preparation of programme proposal	€55,941	€55,941
Reserve for exchange rate losses	€0	€0
	€11,188,235	€665,739

* The advance payment is composed of €565,878 in grant amount and €99,861 in co-financing.

3.4 Retention of management costs

Retention of management costs - percentage of the management costs	10.00%
Retention of management costs - planned Euro value	€92,070

3.5 Small Grant Scheme

Not applicable

Annex II - Operational Rules

1. Eligibility

1.1 Eligible measures (sub-measures if any):

The Programme Operator is the Centre for Renewable Energy Sources and Saving (CRES).

The Programme will contribute to fulfil the 20-20-20 obligations and the acceleration of the Greek economy through “green” energy development. “Green” development will be supported through projects focusing on Renewable Energy Sources (RES). A less carbon-dependent economy will be achieved through the implementation of RES Integrated Actions in Local Communities and RES Integrated Actions in Island(s).

1.2 Eligible applicants:

The rules on eligibility of applicants are set in Article 6.2 of the Regulation. The following specifications apply to this Programme:

- Eligible applicants are public entities that act towards public interest (regional and local authorities, municipal companies, research and educational institutions), and consortium of such entities.

1.3 Special rules on eligibility of costs:

Costs are eligible in accordance with Chapter 7 of the Regulation.

Indirect costs at project level may be eligible up to a flat rate of 10%. The method of calculating the indirect costs shall be determined in the individual project contracts.

By way of exception from Article 7.3.1(c) of the Regulation, the entire purchase price of new equipment may be eligible if the equipment is an integral and necessary component for the implementation or development of a technology that is essential for achieving the outcome of the project. The Programme Operator will check and verify compliance with this condition.

2. Financial parameters

2.1 Minimum and maximum grant amount per project:

The minimum amount of grant assistance applied for is €500,000; the maximum amount is €3,000,000.

2.2 Project grant rate:

Grants from the Programme may be up to 100% of total eligible project costs. The remaining costs of the project shall be provided or obtained by the Project Promoter.

The project grant rate shall be set at a level that complies with the state aid rules in force and takes into account any and all other forms of public support granted to the projects, together with the estimated level of any profit likely to be generated by the projects.

3. Selection of projects

3.1 Selection procedures:

The selection procedures shall be in accordance with Article 6.5 of the Regulation. The independent and impartial experts referred to in Article 6.5.2 shall be independent of the Programme Operator, the Selection Committee and the project applicants.

3.2 Open calls and availability of funds (including number of calls, duration of calls, and estimated size):

There shall be at least one call for proposals making available at least €9,664,659. The call for proposals will be launched no later than in the second quarter of 2014.

A second call may be launched if there are funds uncommitted as a result of the first call. The calls shall be open for at least 2 months.

3.3 Selection criteria:

The following selection criteria will, as a minimum, be taken into account:

- relevance in relation to the objectives of the Programme;
- compliance with European and national legislation;
- compliance with the objectives and scope described in the call for proposals;
- project feasibility, quality, economic and social sustainability;
- project maturity.

Priority shall be given to projects with the highest reduction of CO₂ emissions and/or the highest production of renewable energy in the most cost efficient way.

The final selection criteria will be included in the text of the call for proposals.

4. Payment flows, verification of payment claims, monitoring and reporting

4.1 Payment flows:

In line with Article 7.14 of the Regulation, incurred expenditures of projects shall be eligible at the earliest as of the date on which the Programme Operator decides to award the project grant. The first and final dates of eligibility shall be stated in the project contract.

The Programme Operator shall ensure that funds are available for payments to projects in a timely manner. Payments towards Project Promoters may take the form of an advance payment, interim payments and a final balance payment in the form of reimbursement of incurred expenditures. Payments to projects are made on the basis of approved interim reports.

Project Promoters will be granted an advance payment of 10% of total project costs, interim payments will constitute an amount of up to 70% of total project costs based on actual and certified expenditures. The advance and interim payments shall be offset against incurred expenditure reported in the interim project reports.

The final payment representing up to 20% of the project's total eligible costs will be disbursed after approval of the final report.

4.2 Verification of payment claims :

The Programme Operator will be conducting 100% desk review for all requests for reimbursement submitted by Project Promoters. In addition on-the-spot verifications will be carried out as needed. As a general rule, costs incurred by the Project Promoters shall be supported by receipted invoices. Where this cannot be done, costs shall be supported by accounting documents of equivalent probative value.

In case of verification of expenditures incurred by a donor project partner, a report by an independent and certified auditor, certifying that the claimed costs are incurred in accordance with the Regulation, the national law and accounting practices of the donor project partner's country, shall be seen as sufficient proof of costs incurred.

The procedure for verification of payment claims and deadlines for reporting as outlined in the programme proposal will further be detailed in the description of the Programme Operator's management and control systems according to Article 4.8.2 of the Regulation.

4.3 Monitoring and reporting :

The Programme Operator will monitor all projects. In addition to monitoring following the approval of the interim financial report and the final report, the relevant entity will carry out on-the-spot checks based on the annual monitoring plan. On-the-spot checks will be conducted every year on a sample of projects selected on the basis of risk analysis, or by random sample.

The aim of the on-the-spot checks is to make sure that the project is implemented in accordance with the requirements of the Regulation and the project contracts, to verify procurement procedures and the cost efficiency of incurred expenditures. A sample of at least 30% of the payments made during the monitoring period will be checked.

On-the-spot checks on an ad-hoc basis will also be carried out when suspicions arise that the information provided by the Project Promoter is incorrect or misleading. On-the-spot checks on ad-hoc basis can also be organised for other reasons. Information about the date of the on-the-spot check on ad-hoc basis should normally not be provided to the Project Promoter in advance.

Irregularities will be handled in accordance with Chapter 11 of the Regulation.

Information on Reporting and Monitoring shall be further outlined in the description of the Programme's Management and Control System according to Article 4.8.2 of the Regulation.

5. Additional mechanisms within the programme

5.1 Funds for bilateral relations:

The Programme Operator will set aside minimum 1.5% of the total programme budget to a fund for bilateral relations.

The following activities will be supported under the fund for bilateral relations:

a) search for project partners from the Donors States prior to or during the preparation of a project application and the development of such partnerships. One third of the bilateral fund will be allocated to this measure. Funds not spent under measure a) might be transferred to measure b).

b) networking, exchange, sharing and transfer of knowledge, technology, experience and best practices between Project Promoters and entities in the Donor States. Two thirds of the bilateral fund will be allocated to this measure.

Under measure a), the Programme Operator shall implement studies for market mapping and organise a match making conference for potential Project Promoters and partners.

Funds under measure b) shall be made available to Project Promoters and partners, who may request these funds in their project application. The grant rate per project is 100%.

Costs under the bilateral fund are eligible in accordance with Chapter 7.7 of the Regulation.

5.2 Complementary action:

The Programme Operator will set aside €216,635 for complementary actions under the Programme.

Complementary action under this Programme shall be further defined by the Programme Operator in accordance with Article 7.11 of the Regulation.

5.3 Reserve for exchange rate losses:

Not applicable.

5.4 Small Grant Schemes :

Not applicable.

6. Pre-defined projects

Not applicable.

7. Modification of the programme

Any modifications of the Programme will follow the rules set forth in the Regulation and in Article 2.9 of the programme agreement.

8. Programme proposal version

Any reference to the programme proposal in this programme agreement shall be interpreted as a reference to the version signed by the Programme Operator on 31 July 2012 and shall include all subsequent correspondence and communication between the Donors, the Financial Mechanism Office, the National Focal Point and the Programme Operator.

9. Miscellaneous

Not applicable.

Η απόφαση αυτή να δημοσιευθεί στην Εφημερίδα της Κυβερνήσεως.

Αθήνα, 24 Ιουλίου 2015

Ο ΥΠΟΥΡΓΟΣ

ΓΕΩΡΓΙΟΣ ΣΤΑΘΑΚΗΣ



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ΑΠΟ ΤΟ ΕΘΝΙΚΟ ΤΥΠΟΓΡΑΦΕΙΟ

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